

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 11
)	
THE IT GROUP, INC., et al)	Case No 02-10118 (MFW)
Debtors,)	Jointly Administered
_____)	
)	
IT LITIGATION TRUST,)	
Plaintiff,)	Civ. A No. 04-CV-1268 (KAJ)
)	
v)	
)	
DANIEL A D'ANIELLO, FRANCIS J)	
HARVEY, JAMES C McGILL,)	
RICHARD W. POGUE, PHILLIP B.)	
DOLAN, E MARTIN GIBSON, ROBERT)	
F. PUGLIESE, CHARLES W. SCHMIDT,)	
JAMES DAVID WATKINS, ANTHONY)	
J DeLUCA, HARRY J SOOSE, THE)	
CARLYLE GROUP, THE CARLYLE)	
GROUP, L L C , CARLYLE PARTNERS)	JURY TRIAL DEMANDED
II, L P , CARLYLE SBC PARTNERS, II,)	
L P , CARLYLE INTERNATIONAL)	
PARTNERS II, L P , CARLYLE)	
INTERNATIONAL PARTNERS III, C/S)	
INTERNATIONAL PARTNERS,)	
CARLYLE INVESTMENT GROUP, L P ,)	
CARLYLE-IT INTERNATIONAL)	
PARTNERS, L P , CARLYLE-IT)	
INTERNATIONAL PARTNERS II, L P ,)	
CARLYLE-IT PARTNERS L P , and T C)	
GROUP, L L C ,)	
Defendants)	

ORDER OF COURT

Defendants' Joint Motion to Dismiss for Failure to State a Claim having been filed, and all parties having had an opportunity to be heard, and the Court having given due consideration to the parties' arguments,

IT IS hereby ORDERED, ADJUDGED, and DECREED that Defendants' Joint Motion to Dismiss for Failure to State a Claim is GRANTED in its entirety.

IT IS hereby further ORDERED that the First Amended Complaint is hereby dismissed with prejudice.

Dated: _____, 2005

UNITED STATES DISTRICT JUDGE

cc: All counsel of record